

RHODE ISLAND RESOURCE RECOVERY CORPORATION
BUSINESS MEETING
THURSDAY, MARCH 15, 2007
8:30 A.M.
65 SHUN PIKE
JOHNSTON, RI 02919

I. Attendance

A. Austin Ferland, Chairman and CEO
Ken Aurecchia, Vice Chairman
Michael Salvatore, Treasurer
John St. Sauveur
Mayor Scott Avedisian
George Welly

II. Staff Present

Michael OConnell, Executive Director
Dennis aRusso, Deputy Executive Director
Patrick McQueeney, Chief of Security
Joe Judge Chief Financial Officer
Claude Cote, Director of Regulatory Compliance
Brian Card, Operations and Engineering Manager
William Anderson, Engineering Supervisor

Marcel Lussier, Business Manager
Michael Mesolella, Municipal Liaison
Patricia Cerbo, Purchasing Manager
Sharon D'Angelo, Administrative Manager

III. Others Present

Richard Nicholson, Jefferson Renewable Energy
Greg Benik, Nixon Peabody
Laurie Brayton, Senate Fiscal
Angela Briggs, RI Independent Waste Haulers Association
Rebecca Martinique, Arthritis Foundation
John Rambone, Rambone Disposal
Clifford Montiero, NAACP – Providence
Kelly Mahoney, RI Senate Policy Office

IV. Agenda Items

1. Call to Order - Chairman Ferland called the meeting to order at 8:30 a.m.

2. Minutes of the Meeting

John St. Sauveur made the following motion:

THAT THE READING OF THE MINUTES BE WAIVED AND FURTHER

THAT THE MINUTES OF THE PREVIOUS MEETING OF THE OPEN SESSION AND THE EXECUTIVE SESSION HELD ON JANUARY 5, 2007 BE ACCEPTED AND APPROVED AS PRESENTED TO EACH COMMISSIONER TODAY.

Ken Aurecchia seconded the motion which passed unanimously.

3. Set the Next Meeting – Chairman Ferland set the next meeting for Tuesday, May 1 at 8:30 a.m.

Chairman Ferland opened the meeting to questions and/or comments.

Rebecca Martinique, from the Arthritis Foundation thanked the Board and Michael Mesolella for their support of the Arthritis Foundation.

4. Contracts

a) Main Scales Access Road Reconstruction – Bill Anderson reported that bids were solicited on February 1, 2007, for the reconstruction of approximately 2000' of the main scale house inbound and outbound roadway. A pre-bid conference was held on February 12, 2007 and a bid opening was held on March 1, 2007. Bidders were required to submit prices for eighteen bid items. There were five bids received. Following an evaluation of the Bids received and considering the revised Option B1 based on the lowest responsive and responsible

bidder, the combined PARE and Staff Evaluation Committee recommends awarding this contract to J.H. Lynch & Sons, Inc. of Cumberland, RI.

Ken Aurecchia made the following motion:

BE IT RESOLVED THAT THE BOARD OF COMMISSIONERS AUTHORIZE THE CHAIRMAN OF THE BOARD OR THE EXECUTIVE DIRECTOR TO ENTER INTO A CONTRACTUAL AGREEMENT FOR THE MAIN SCALES ACCESS ROAD RECONSTRUCTION AS SPECIFIED IN IFB NO. 761, WITH J.H. LYNCH & SONS, INC. OF CUMBERLAND, RI FOR A PERIOD COMMENCING AT THE “NOTICE TO PROCEED” AND EXPIRING ON MAY 31, 2007, FOR A TOTAL NOT TO EXCEED PRICE OF \$706,365.00.

Scott Avedisian seconded the motion which passed with a vote of four with Michael Salvatore abstaining.

b) 10,000 lb. Hydraulic Hammer – Brian Card reported that bids were solicited on January 17, 2007 for the supply, delivery and installation of a 10,000 lb hydraulic hammer that will be installed on a Daewoo Solar 400 LC-V. This procurement was placed in the Providence Journal, the Dodge Report and was placed on the State’s electronic bulletin board. Following an evaluation of the bids received and based on the lowest responsive and responsible bidder, the Staff Evaluation Committee recommends awarding the contract to Job-Site

Equipment.

John St. Sauveur made the following motion:

BE IT RESOLVED THAT THE BOARD OF COMMISSIONERS AUTHORIZES THE CHAIRMAN OF THE BOARD AND/OR THE EXECUTIVE DIRECTOR TO ENTER INTO A CONTRACTUAL AGREEMENT FOR THE SUPPLY, DELIVERY AND INSTALLATION OF AN EXCEL MODEL 10000SD HYDRAULIC HAMMER BETWEEN RHODE ISLAND RESOURCE RECOVERY CORPORATION AND JOB SITE EQUIPMENT OF WARWICK, RI FOR AN AMOUNT NOT TO EXCEED \$56,000.00.

Michael Salvatore seconded the motion which passed unanimously.

c) Excavator with Grapple – Brian Card reported that bids were solicited on January 16, 2007, for the supply and delivery of an excavator with grapple. This procurement appeared in the Providence Journal, Dodge Report and was placed on the State's electronic bulletin board. A public bid opening was held on February 7, 2007. There were 5 vendors who responded. Following an evaluation of the bids received and based upon the lowest responsive and responsible bidder, the Staff Evaluation Committee recommends awarding the contract to Woodco Machinery Inc. of Woburn, MA.

Michael Salvatore made the following motion:

BE IT RESOLVED THAT THE BOARD OF COMMISSIONERS AUTHORIZES THE CHAIRMAN OF THE BOARD OR THE EXECUTIVE DIRECTOR TO ENTER INTO A CONTRACTUAL AGREEMENT FOR THE SUPPLY AND DELIVERY OF ONE NEW VOLVO EXCAVATOR, MODEL EC210BLC WITH GRAPPLE INCLUDING SCHEDULED SERVICES AND A TRADE OF 2000 HYUNDAI ROBEX 210LC3 (BH-7) (IFB 762) BETWEEN RHODE ISLAND RESOURCE RECOVERY CORPORATION AND WOODCO MACHINERY, INC. OF WOBURN, MA FOR AN AMOUNT NOT TO EXCEED \$145,760.22.

Scott Avedisian seconded the motion which passed unanimously.

d) MRF Sprinkler System Pipe Replacement – This item was tabled until the next meeting.

Contract Renewal

a) Analytical Testing Services – Bill Anderson reported that the Corporation issued an RFQ/RFP for the competitive procurement of Analytical Testing Services from a State of RI certified laboratory. Based upon staff evaluation and with concurrence received from the Board of Commissioners, Mitkem Corporation was selected for a one-year contract with the option to renew for up to two additional one-year periods. The contract was for the period starting on April 1, 2006 for a term ending March 31, 2007. Staff members have reviewed

the performance of Mitkem Corporation and recommend that the Board of Commissioners renew the contract for Analytical Testing Services, under the same terms and conditions for the first renewal period, from April 1, 2007 to March 31, 2008.

Scott Avedisian made the following motion:

BE IT RESOLVED THAT THE BOARD OF COMMISSIONERS AUTHORIZES THE CHAIRMAN OF THE BOARD OR THE EXECUTIVE DIRECTOR TO RENEW THE CONTRACTUAL AGREEMENT FOR ANALYTICAL TESTING SERVICES WITH MITKEM CORPORATION, INC. OF WARWICK, RI FOR THE FIRST RENEWAL PERIOD FOR AN AMOUNT NOT TO EXCEED \$139,000.00. ADDITIONALLY THIS CONTRACT SHALL INCLUDE A 4120,000.00 CONTINGENCY IN THE EVENT THAT EPA OR RIDEM REQUIRE ASSESSMENT COMPLIANCE MONITORING, TO BE UTILIZED ONLY WITH PRIOR APPROVAL BY THE EXECUTIVE DIRECTOR. THE CONTRACT WILL COMMENCE ON APRIL 1, 2007, AND EXPIRE ON MARCH 31, 2008, AND MAY BE RENEWED AT THE DISCRETION OF THE BOARD UNDER THE SAME TERMS AND CONDITIONS FOR AN ADDITIONAL ONE YEAR PERIOD.

Ken Aurecchia seconded the motion which passed unanimously.

b) Removal and Recycling of Mattresses – Mike Mesolella reported

that on February 13, 2006 the Corporation issued a bid for the removal and recycling of mattresses. A contract in the amount of \$100,000 was awarded to Miller Recycling of Mansfield, Ma for the period from April 1, 2006 to March 31, 2007, with an option to renew the contract under the same terms and conditions for two additional one year periods. Based on the continued satisfactory performance of Miller Recycling and the fact that the vendor's rate will remain the same and the vendor's willingness to renew the contract under the same terms and conditions, Mike recommended renewing the contract.

John St. Sauveur made the following motion:

BE IT RESOLVED THAT THE BOARD OF COMMISSIONERS AUTHORIZES THE CHAIRMAN OF THE BOARD AND OR THE EXECUTIVE DIRECTOR TO ENTER INTO A RENEWAL AGREEMENT FOR THE REMOVAL AND RECYCLING OF MATTRESSES BETWEEN THE RHODE ISLAND RESOURCE RECOVERY CORPORATION AND MILLER RECYCLING OF MANSFIELD, MA FOR AN AMOUNT NOT TO EXCEED \$100,000. THE RENEWAL TERM SHALL BEGIN APRIL 1, 2007 AND CONTINUE THROUGH MARCH 31, 2008.

Ken Aurecchia seconded the motion which passed unanimously.

Contract Increase

a) Phase V Area 1 Baseline Construction – Bill Anderson reported that the final installation for the slope liner for the Phase V Area 1 Cell was recently completed. The area represented 9.5 acres and will allow solid waste placement to reach capacity height at approximate elevation of 572. DEM has mandated a change in the liner thickness from 60 mil to 80 mil on the last section resulting in a request for change order. In addition escalation rates in the geotextile products were requested by the contractor due to the fluctuations in oil prices. This matter was discussed with the Finance Subcommittee

Michael Salvatore made the following motion:

BE IT RESOLVED THAT THE BOARD OF COMMISSIONERS AUTHORIZES THE CHAIRMAN OF THE BOARD OR THE EXECUTIVE DIRECTOR TO INCREASE THE CONTRACTUAL AMOUNT FOR THE PHASE V AREA 1 BASELINER CONSTRUCTION PROJECT, DATED FEBRUARY 1, 2004, WITH DIGREGORIO CORPORATION, INC. OF SMITHFIELD, RI, FOR AN INCREASE OF \$136,080.72, FOR A TOTAL AMENDED CONTRACT PRICE OF \$10,683,964.37.

John St. Sauveur seconded the motion which passed unanimously.

5. Recovermat – Dennis Russo reported that Recovermat is seeking to extend their contract with the Corporation. Their present contract will expire on November 30, 2007. The new contract has been

reviewed by the Finance Subcommittee.

Michael Salvatore made the following motion:

WHEREAS, ON MAY 19, 1998, RIRRC EXECUTED A RECYCLING PROJECT AGREEMENT WITH RECOVERMAT OF RI, LLC("RECOVERMAT") A MARYLAND LIMITED LIABILITY COMPANY; WHEREAS, ON JUNE 20, 1998, AND AUGUST 18, 1999, EXTENSION AGREEMENTS WERE EXECUTED; WHEREAS, EFFECTIVE NOVEMBER 16, 1999, RIRRC EXECUTED A LICENSE AGREEMENT OBTAINING THE LICENSE RIGHTS TO SPECIFIC LICENSED PATENT. WHEREAS, RIRRC DESIRES TO AMEND THE LICENSE AGREEMENT TO EXTEND THE TERM WHICH EXPIRES NOVEMBER 30, 2007; WHEREAS, RIRRC DESIRES TO CONTINUE OPERATING ITS RECOVERMAT FACILITY PURSUANT TO THE "LICENSE PATENTS" THROUGH THE NATURAL EXPIRATION OF SUCH PATENTS ON OR ABOUT APRIL 12, 2012; WHEREAS, GIVEN RIRRC'S INVESTMENT IN AN ENLARGED FACILITY HAVING NO DAILY TONNAGE LIMIT, RIRRC HAS DETERMINED IT NEEDS TO MAKE ADDITIONAL CAPITAL INVESTMENT IN EQUIPMENT TO AID IN PROCESSING THE INCREASED TONNAGE; WHEREAS, THE BOARD OF COMMISSIONERS ON DECEMBER 13, 2006, AUTHORIZED THE DEPUTY EXECUTIVE DIRECTOR TOGETHER WITH ASSISTANCE FROM RIRRC'S CONSULTANT SHERRY MULHEARN, TO NEGOTIATE A FINAL AMENDED LICENSE AGREEMENT TO CONSISTENT WITH THE PARAMETERS DISCUSSED DURING EXECUTIVE SESSION;

WHEREAS, THE CONSULTANT AND THE DEPUTY EXECUTIVE DIRECTOR CONCLUDED NEGOTIATIONS WITH RECOVERMAT TO ACHIEVE THE OBJECTIVES ESTABLISHED; WHEREAS, RECOVERMAT HAS AGREED TO PURCHASE AND INSTALL THE NECESSARY EQUIPMENT UPGRADES MUTUALLY AGREED UPON BY THE PARTIES; WHEREAS, THE RECOMMENDED TERMS OF AN AMENDED LICENSE AGREEMENT WERE PRESENTED TO THE FINANCE SUBCOMMITTEE ON MONDAY, MARCH 5, 2007; WHEREAS, THE FINANCE SUBCOMMITTEE HAS RECOMMENDED THE BOARD AUTHORIZE THE EXECUTION OF THE AMENDED AGREEMENT CONSISTENT WITH THE PROPOSAL DISCUSSED AND ENDORSED ON MARCH 5, 2007; THEREFORE, THIS BOARD OF COMMISSIONERS HEREBY AUTHORIZES THE CHAIRMAN AND/OR THE EXECUTIVE DIRECTOR TO EXECUTE THE AMENDED LICENSE AGREEMENT CONSISTENT WITH THE PARAMETERS APPROVED AND THE AUDITOR GENERAL'S REVIEW AND APPROVAL .

Ken Aurecchia seconded the motion which passed unanimously.

6. Grant Requests – Michael Mesoella reported that the City of Woonsocket is undertaking a new and challenging waste and recycling program. The City Council has approved a new contract with Waste Management to provide automated collection of municipal solid waste and recyclables effective July 1, 2007. The City of Woonsocket is requesting grant funding of over \$1,000,000 to buy approximately 22,000 recycling containers.

Michael Salvadore made the following motion:

BE IT RESOLVED THAT THE BOARD OF COMMISSIONERS AUTHORIZES THE CHAIRMAN OF THE BOARD AND/OR THE EXECUTIVE DIRECTOR TO AWARD A RECYCLING ASSISTANCE GRANT IN THE TOTAL AMOUNT OF \$380,000 FOR THE PURPOSE OF FUNDING PROJECTS THAT ENHANCE RECYCLING AND INCREASE THE DIVERSION OF RECYCLABLES FROM DISPOSAL. A GRANT TO THE FOLLOWING MUNICIPALITY IN THE AMOUNT OF THREE HUNDRED EIGHTY THOUSAND (\$380,000) SHALL BE AWARDED TO THE CITY OF WOONSOCKET.

Ken Aurecchia seconded the motion which passed unanimously.

7. Hirings – Dennis aRusso reported that the Corporation was seeking to fill three laborer positions.

John St. Sauveur made the following motion:

WHEREAS, ON MAY 21, 1997, THE BOARD OF COMMISSIONERS ADOPTED A RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR TO HIRE, TO TERMINATE, AND TO ESTABLISH COMPENSATION FOR EMPLOYEES OF THE CORPORATION; WHEREAS, THE EXECUTIVE DIRECTORS HIRINGS ARE TO BE REVIEWED AND APPROVED BY THE CHAIRMAN AND CEO AND

RATIFIED BY THE BOARD; WHEREAS, THE POSITIONS OF LABORERS (3) WERE ADVERTISED. A COPY OF THE ADVERTISEMENT HAS BEEN DISTRIBUTED TO THE BOARD OF COMMISSIONERS. AFTER A THOROUGH REVIEW OF ALL APPLICATIONS SUBMITTED FOR THE POSITIONS INTERVIEWS WERE HELD; WHEREAS, THE CHAIRMAN HAS APPROVED THE SELECTION OF THE NAMED INDIVIDUALS; THEREFORE, THIS BOARD OF COMMISSIONERS HEREBY AUTHORIZES THE EXECUTIVE DIRECTOR TO EXTEND OFFERS OF EMPLOYMENT TO THE RECOMMENDED INDIVIDUALS. SUCH HIRINGS WILL BE SUBJECT TO THE CANDIDATES SATISFACTORILY PASSING A PRE-EMPLOYMENT PHYSICAL AND A BACKGROUND CHECK (BCI).

Ken Aurecchia seconded the motion which passed unanimously.

8. Commercial Waste Disposal Agreement – Joe Judge reported that Lakeview Enterprises d/b/a Valley Disposal & Valley Enterprises Quik Box Services was seeking to enter into a commercial waste disposal agreement. This matter was reviewed by the Finance Subcommittee.

John St. Sauveur made the following motion:

BE IT RESOLVED THAT THE BOARD OF COMMISSIONERS AUTHORIZES THE CHAIRMAN OR THE EXECUTIVE DIRECTOR TO ENTER INTO A FY 2007 CSW DISPOSAL AGREEMENT AT \$56.75 PER

TON WITH LAKEVIEW ENTERPRISES INC. D/B/A VALLEY DISPOSAL & VALLEY ENTERPRISES QUIK BOX SERVICES EXPIRING ON JUNE 30, 2007.

Ken Aurecchia seconded the motion which passed unanimously.

9. Executive Session

John St. Sauveur made the following motion at 9:05 a.m.:

THAT BY A ROLL CALL VOTE, CALLED BY THE GENERAL COUNSEL, THIS BOARD OF COMMISSIONERS SHALL GO INTO EXECUTIVE SESSION, CLOSED TO THE PUBLIC, IN CONFORMANCE WITH RI GENERAL LAWS SECTION 42-46-4, UPON AN AFFIRMATIVE VOTE OF THE BOARD'S MAJORITY IN CONFORMANCE WITH RI GENERAL LAWS SECTION 42-46-5, THIS BOARD'S VOTE TO HOLD THIS PORTION OF THE MEETING CLOSED TO THE PUBLIC IS FOR THE FOLLOWING PURPOSES:

Scott Avedisian seconded the motion which passed with a unanimous roll call vote.

John St. Sauveur made the following motion at 10:05 a.m.

THAT THE MINUTES OF THE EXECUTIVE SESSION BE SEALED INDEFINITELY OR WHERE APPROPRIATE UNTIL ALL MATTERS

DISCUSSED ARE RESOLVED.

Scott Avedisian seconded the motion which passed unanimously.

10. Other Business

Ken Aurecchia made the following motion:

BE IT RESOLVED THAT THE BOARD OF COMMISSIONERS AUTHORIZES THE EXECUTIVE DIRECTOR TO ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH RIDGEWOOD RENEWABLE POWER CONSISTENT WITH THE PARAMETERS AS DISCUSSED DURING EXECUTIVE SESSION ON MARCH 15, 2007.

Michael Salvatore seconded the motion which passed unanimously.

John St. Sauveur made a motion to adjourn at 10:06 a.m. Scott Avedisian seconded the motion which passed unanimously.

Sincerely,

**Michael J. OConnell
Executive Director**